

1 KEVIN V. RYAN (CSBN 118321)
2 United States Attorney
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 ROBERT WILLIAM ROLAND,)
15 ERIC EARL SHAW, and)
STEPHANIE ELISE SITKEWICH,)

16 a/k/a, Spider Woman,)

17 a/k/a, Terri Shawlstein,)

18 a/k/a, Terri Shawstein,)

19 a/k/a, Sherri Shawstein,)

20 a/k/a, Laura Palmer,)

21 a/k/a, Laura Plammer, and)

22 a/k/a, Terry Montoya,)

23 Defendants.)
24)
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No. CR 04-0309 CRB

VIOLATIONS:

18 U.S.C. § 1951(a) – Conspiracy to
Extort Property Under Color of Official
Right; 18 U.S.C. § 1001(a) – Making
False Statements in a Matter within the
Jurisdiction of the Executive Branch;
21 U.S.C. § 963 – Conspiracy to Import
MDMA; 21 U.S.C. § 846 – Conspiracy
to Possess with Intent to Distribute and
to Distribute MDMA;
21 U.S.C. § 841(a)(1) – Distribution of
MDMA; 21 U.S.C. §§ 952(a) and
960(a)(1) and 18 U.S.C. § 2 –
Importation of MDMA; Aiding and
Abetting; 21 U.S.C. § 846 – Attempted
Possession with Intent to Distribute
MDMA

SAN FRANCISCO VENUE

UNDER SEAL

S U P E R S E D I N G I N D I C T M E N T

SUPERSEDING INDICTMENT

1 The Grand Jury charges:

2 I. INTRODUCTION

3 At all times relevant to this Indictment:

4 1. Robert William Roland was an attorney licensed to practice law in the State
5 of California. Roland was employed as an Assistant District Attorney with the Office of
6 the District Attorney for the City and County of San Francisco. He worked at 850 Bryant
7 Street, San Francisco, California.

8 2. Roland was responsible for representing the State of California in criminal
9 prosecutions brought in the Superior Court of California for the County of San Francisco
10 (“Superior Court”), including prosecutions involving the enforcement of state laws
11 prohibiting the trafficking and use of controlled substances.

12 3. Eric Earl Shaw was a resident of the City of San Francisco. Shaw attended
13 high school with Roland, and the two were personal friends.

14 4. Stephanie Elise Sitkewich was a resident of the City of San Francisco, and a
15 personal friend of Shaw.

16 5. Ryan Ernst Nyberg was a resident of the City of San Francisco, and a
17 personal friend of Shaw and Sitkewich. As set forth in more detail below, Sitkewich,
18 Shaw, Nyberg, and others were in the business of distributing controlled substances,
19 including MDMA or “ecstasy,” formally known by its chemical name as
20 3,4-methylenedioxymethamphetamine.

21 6. Nyberg was charged in Superior Court by the State of California with
22 felony offenses under state law relating to the distribution of methamphetamine, MDMA,
23 and other controlled substances.

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1 II. HOBBS ACT EXTORTION.

2 COUNT ONE: (18 U.S.C. § 1951(a) – Conspiracy to Extort Property Under Color of
3 Official Right)

4 7. The allegations set forth in Paragraphs One through Six of this Indictment
5 are hereby incorporated by reference.

6 8. Beginning at a time unknown to the Grand Jury, but no later than June
7 2003, and continuing through in or about January 2004, in the Northern District of
8 California and elsewhere, the defendants

9 ROBERT WILLIAM ROLAND and
10 ERIC EARL SHAW,

11 and others, did knowingly and intentionally conspire to obstruct, delay, and affect
12 commerce and the movement of an article in commerce, as defined in Title 18, United
13 States Code, Section 1951, by extortion, namely, by obtaining controlled substances under
14 color of official right from Ryan Ernst Nyberg, with the consent of Nyberg.

15 MANNER AND MEANS OF THE CONSPIRACY

16 9. It was part of the conspiracy that Shaw asked Roland to help Nyberg in
17 connection with felony drug charges pending against Nyberg in Superior Court.

18 10. It was further part of the conspiracy that Roland undertook to represent the
19 State of California in connection with the felony drug charges pending against Nyberg in
20 Superior Court.

21 11. It was further part of the conspiracy that after Roland appeared in court on
22 Nyberg's cases, Shaw and Nyberg went to Roland's house where they provided Roland
23 with methamphetamine in return for Roland's official acts in connection with the felony
24 drug charges pending against Nyberg in Superior Court.

25 12. It was further part of the conspiracy that Roland met Nyberg at various
26 locations so that Nyberg could provide Roland with controlled substances, including
27 methamphetamine and MDMA, in return for Roland's official acts in connection with the
28 felony drug charges pending against Nyberg in Superior Court.

13. It was further part of the conspiracy that Nyberg provided controlled substances to Shaw and others so that they could give the controlled substances to Roland in return for Roland's official acts in connection with the felony drug charges pending against Nyberg in Superior Court.

14. It was further part of the conspiracy that after accepting controlled substances from Nyberg and others as described above, Roland arranged for and agreed to a diversion disposition in Nyberg's felony drug cases.

OVERT ACTS

15. As part of the conspiracy and to further the objectives thereof, the defendants and others engaged in the following acts in the Northern District of California:

a. On or about June 26, 2003, Roland appeared on behalf of the State of California in connection with felony drug charges pending against Nyberg in Superior Court.

b. On or about and between June 2003 and July 2003, Shaw took Nyberg to Roland's house where they delivered methamphetamine to Roland, and Roland accepted the methamphetamine.

c. On or about September 27, 2003, Nyberg called Roland.

d. On or about September 30, 2003, Roland called Nyberg.

e. On or about October 12, 2003, Roland called Nyberg.

f. On or about October 17, 2003, Roland called Nyberg on five occasions.

g. On or about October 17, 2003, Nyberg called Roland on four occasions.

h. On or about October 17, 2003, Nyberg transmitted a text message that states: "Have to run to district attorney house ill [sic] be right back."

i. On or about October 17, 2003, Nyberg transmitted a text message that states: "I need 80 bucks to get the meds for the da. . . Can you help please?"

1 j. On or about October 18, 2003, Roland called Nyberg on three
2 occasions.

3 k. On or about and between October 17, 2003 and October 18, 2003,
4 Nyberg gave Roland controlled substances, and Roland accepted the controlled
5 substances.

6 l. On or about and between June 2003 and November 2003, Roland
7 arranged for and agreed to a diversion disposition in Nyberg's felony drug cases.

8 All in violation of Title 18, United States Code, Section 1951(a).

9 III. FALSE STATEMENTS.

10 COUNT TWO: (18 U.S.C. § 1001(a) – Making False Statements in a Matter within the
11 Jurisdiction of the Executive Branch)

12 16. The allegations set forth in Paragraphs One through Fifteen of this
13 Indictment are hereby incorporated by reference.

14 17. On or about January 14, 2005, in the Northern District of California, the
15 defendant

16 ROBERT WILLIAM ROLAND,
17 in a matter within the jurisdiction of the United States Department of Justice, a
18 component of the executive branch of the government of the United States, did knowingly
19 and willfully make materially false, fictitious, and fraudulent statements and
20 representations, that is: Roland stated that he never recommended any plea offers for
21 Shaw and never directly or indirectly assisted or intervened on any of Shaw's cases, when
22 in truth, as Roland knew, he had personally agreed to a disposition in one of Shaw's cases
23 and dismissed a felony drug charge pending against Shaw as part of the disposition.

24 All in violation of Title 18, United States Code, Section 1001(a).

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1 COUNT THREE: (18 U.S.C. § 1001(a) – Making False Statements in a Matter within the
2 Jurisdiction of the Executive Branch)

3 18. The allegations set forth in Paragraphs One through Seventeen of this
4 Indictment are hereby incorporated by reference.

5 19. On or about January 14, 2005, in the Northern District of California, the
6 defendant

7 ROBERT WILLIAM ROLAND,
8 in a matter within the jurisdiction of the United States Department of Justice, a
9 component of the executive branch of the government of the United States, did knowingly
10 and willfully make materially false, fictitious, and fraudulent statements and
11 representations, that is: Roland stated that he never directly or indirectly arranged for
12 Ryan Ernst Nyberg to receive a plea offer or any other disposition on any of Nyberg's
13 cases, when in truth, as Roland knew, he had arranged for and agreed to a disposition in
14 felony drug cases pending against Nyberg.

15 All in violation of Title 18, United States Code, Section 1001(a).

16 COUNT FOUR: (18 U.S.C. § 1001(a) – Making False Statements in a Matter within the
17 Jurisdiction of the Executive Branch)

18 20. The allegations set forth in Paragraphs One through Nineteen of this
19 Indictment are hereby incorporated by reference.

20 21. On or about January 14, 2005, in the Northern District of California, the
21 defendant

22 ROBERT WILLIAM ROLAND,
23 in a matter within the jurisdiction of the United States Department of Justice, a
24 component of the executive branch of the government of the United States, did knowingly
25 and willfully make materially false, fictitious, and fraudulent statements and
26 representations, that is: Roland stated that he had not used drugs of any kind since he

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1 became an Assistant District Attorney, when in truth, as Roland knew, he had used illegal
2 drugs while he was an Assistant District Attorney

3 All in violation of Title 18, United States Code, Section 1001(a).

4 IV. MDMA TRAFFICKING.

5 COUNT FIVE: (21 U.S.C. § 963 – Conspiracy to Import MDMA)

6 22. Beginning at a time unknown to the Grand Jury, but no later than April
7 2003, and continuing until on or about April 2004, in the Northern District of California,
8 and elsewhere, the defendants

9 STEPHANIE ELISE SITKEWICH,
10 a/k/a, Spider Woman,
11 a/k/a, Terri Shawlstein,
12 a/k/a, Terri Shawstein,
13 a/k/a, Sherri Shawstein,
a/k/a, Laura Palmer,
a/k/a, Laura Plammer,
a/k/a, Terry Montoya, and
ERIC EARL SHAW,

14 together with Ryan Ernst Nyberg, Michael Joseph Pinar (a/k/a Gabriel Pinar), Jeremy
15 Scott Raymer, and others, did knowingly and intentionally conspire to import into the
16 United States from the United Kingdom and Northern Europe, places outside the United
17 States, a Schedule I controlled substance, to wit: 3,4-methylenedioxymethamphetamine
18 (MDMA), in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

19 MANNER AND MEANS OF THE CONSPIRACY

20 23. It was part of the conspiracy that Sitkewich, Shaw, Nyberg, Pinar, Raymer,
21 and others provided money to each other and to sources in the United Kingdom and
22 Northern Europe so that MDMA could be obtained and mailed to the San Francisco area
23 for the benefit of the co-conspirators.

24 24. It was further part of the conspiracy that Sitkewich, Shaw, Nyberg, Pinar,
25 Raymer, and others attempted to obtain packages containing MDMA that were mailed
26 from the United Kingdom and Northern Europe and were in the possession of the mail
27 carrier, including Federal Express.

1 25. It was further part of the conspiracy that the importation of the MDMA was
2 not complete until the MDMA was obtained by the co-conspirators from the mail carrier
3 and distributed amongst the co-conspirators.

4 All in violation of Title 21, United States Code, Section 963.

5 COUNT SIX: (21 U.S.C. § 846 – Conspiracy to Possess with Intent to Distribute and to
6 Distribute MDMA)

7 26. Beginning at a time unknown to the Grand Jury, but no later than April
8 2003, and continuing until on or about April 2004, in the Northern District of California,
9 and elsewhere, the defendants

10 STEPHANIE ELISE SITKEWICH,
11 a/k/a, Spider Woman,
12 a/k/a, Terri Shawlstein,
13 a/k/a, Terri Shawstein,
14 a/k/a, Sherri Shawstein,
 a/k/a, Laura Palmer,
 a/k/a, Laura Plammer,
 a/k/a, Terry Montoya, and
 ERIC EARL SHAW,

15 together with Ryan Ernst Nyberg, Michael Joseph Pinar (a/k/a Gabriel Pinar), Jeremy
16 Scott Raymer, and others, did knowingly and intentionally conspire to possess with intent
17 to distribute and conspire to distribute a Schedule I controlled substance, to wit:
18 3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States
19 Code, Section 841(a)(1).

20 MANNER AND MEANS OF THE CONSPIRACY

21 27. It was part of the conspiracy that Sitkewich, Shaw, Nyberg, Pinar, Raymer,
22 and others obtained MDMA from each other and a variety of shared sources, including
23 sources in the San Francisco area and sources in the United Kingdom and Northern
24 Europe.

25 28. It was further part of the conspiracy that Sitkewich, Shaw, Nyberg, Pinar,
26 Raymer, and others obtained MDMA so that it could be distributed to each other and
27 others and that they did in fact distribute MDMA to each other and others.

28 All in violation of Title 21, United States Code, Section 846.

1 COUNT SEVEN: (21 U.S.C. § 841(a)(1) – Distribution of MDMA)

2 29. On or about April 23, 2003, in the Northern District of California, the
3 defendant

4 STEPHANIE ELISE SITKEWICH,
5 a/k/a, Spider Woman,
6 a/k/a, Terri Shawlstein,
7 a/k/a, Terri Shawlstein,
8 a/k/a, Sherri Shawlstein,
9 a/k/a, Laura Palmer,
10 a/k/a, Laura Plammer,
11 a/k/a, Terry Montoya,

12 did knowingly and intentionally distribute a Schedule I controlled substance, to wit: 9.92
13 grams (50 tablets) of a mixture or substance containing
14 3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States
15 Code, Section 841(a)(1).

16 COUNT EIGHT: (21 U.S.C. § 841(a)(1) – Distribution of MDMA)

17 30. On or about May 19, 2003, in the Northern District of California, the
18 defendant

19 STEPHANIE ELISE SITKEWICH,
20 a/k/a, Spider Woman,
21 a/k/a, Terri Shawlstein,
22 a/k/a, Terri Shawlstein,
23 a/k/a, Sherri Shawlstein,
24 a/k/a, Laura Palmer,
25 a/k/a, Laura Plammer,
26 a/k/a, Terry Montoya,

27 did knowingly and intentionally distribute a Schedule I controlled substance, to wit:
28 283.43 grams (1,007 tablets) of a mixture or substance containing
3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States
Code, Section 841(a)(1).

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COUNT NINE: (21 U.S.C. §§ 952(a) and 960(a)(1) – Importation of MDMA; Aiding and Abetting)

31. On or about October 10, 2003, but no later than October 14, 2003, in the Northern District of California, the defendant

STEPHANIE ELISE SITKEWICH,
a/k/a, Spider Woman,
a/k/a, Terri Shawlstein,
a/k/a, Terri Shawstein,
a/k/a, Sherri Shawstein,
a/k/a, Laura Palmer,
a/k/a, Laura Plammer,
a/k/a, Terry Montoya,

together with Ryan Ernst Nyberg, Michael Joseph Pinar (a/k/a Gabriel Pinar), Jeremy Scott Raymer, and others, did knowingly and intentionally import into the United States from Belgium, a place outside the United States, a Schedule I controlled substance, to wit: 1,022.2 grams (5,044 tablets) of a mixture or substance containing 3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1), and Title 18, United States Code, Section 2.

COUNT TEN: (21 U.S.C. § 846 – Attempted Possession with Intent to Distribute MDMA)

32. On or about and between October 4, 2003 and October 16, 2003, both dates being approximate and inclusive, in the Northern District of California, the defendant

STEPHANIE ELISE SITKEWICH,
a/k/a, Spider Woman,
a/k/a, Terri Shawlstein,
a/k/a, Terri Shawstein,
a/k/a, Sherri Shawstein,
a/k/a, Laura Palmer,
a/k/a, Laura Plammer,
a/k/a, Terry Montoya,

together with Ryan Ernst Nyberg, Michael Joseph Pinar (a/k/a Gabriel Pinar), Jeremy Scott Raymer, and others, did knowingly and intentionally attempt to possess with intent to distribute a Schedule I controlled substance, to wit: 1,022.2 grams (5,044 tablets) of a

1 mixture or substance containing 3,4-methylenedioxymethamphetamine (MDMA), in
2 violation of Title 21, United States Code, Section 841(a)(1).

3 All in violation of Title 21, United States Code, Section 846.

4 COUNT ELEVEN: (21 U.S.C. §§ 952(a) and 960(a)(1) – Importation of MDMA; Aiding
5 and Abetting)

6 33. On or about December 1, 2003, in the Northern District of California, the
7 defendants

8 STEPHANIE ELISE SITKEWICH,
a/k/a, Spider Woman,
9 a/k/a, Terri Shawlstein,
a/k/a, Terri Shawstein,
10 a/k/a, Sherri Shawstein,
a/k/a, Laura Palmer,
11 a/k/a, Laura Plammer,
a/k/a, Terry Montoya,
12 ERIC EARL SHAW,

13 and others, did knowingly and intentionally import into the United States from the United
14 Kingdom, a place outside the United States, a Schedule I controlled substance, to wit:
15 122.5 grams (473 tablets) of a mixture or substance containing
16 3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States
17 Code, Sections 952(a) and 960(a)(1), and Title 18, United States Code, Section 2.

18 COUNT TWELVE: (21 U.S.C. § 846 – Attempted Possession with Intent to Distribute
19 MDMA)

20 34. On or about and between November 28, 2003 and December 2, 2003, both
21 dates being approximate and inclusive, in the Northern District of California, the
22 defendants

23 STEPHANIE ELISE SITKEWICH,
a/k/a, Spider Woman,
24 a/k/a, Terri Shawlstein,
a/k/a, Terri Shawstein,
25 a/k/a, Sherri Shawstein,
a/k/a, Laura Palmer,
26 a/k/a, Laura Plammer,
a/k/a, Terry Montoya, and
27 ERIC EARL SHAW
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1 did knowingly and intentionally attempt to possess with intent to distribute a Schedule I
2 controlled substance, to wit: 122.5 grams (473 tablets) of a mixture or substance
3 containing 3,4-methylenedioxymethamphetamine (MDMA), in violation of Title 21,
4 United States Code, Section 841(a)(1).

5 All in violation of Title 21, United States Code, Section 846.

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7 DATED:

A TRUE BILL.

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10 FOREPERSON

11 KEVIN V. RYAN
12 United States Attorney

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14 EUMI CHOI
15 Chief, Criminal Division

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17 (Approved as to form: AUSA STESKAL)
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